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TAGS: PREL, PGOV, LI, US
SUBJECT: HEARING BEFORE HFAC AF AND HUMAN RIGHTS
SUBCOMMITTEES ON LIBERIA

1. SUMMARY: THE TALLY SHEET FOR THE LIBERIA HEARING HELD JAN. 23 BEFORE COMBINED SUBCOMMITTEES OF THE HFAC HAS BOTH PLUSES AND MINUSES. THE ATMOSPHERE WAS RELATIVELY CALM AND WE HAD UNEXPECTED SUPPORT FROM CONGRESSMAN BERMAN (D/CALIF.) IN SIDETRACKING EFFORTS TO MARK-UP A SENSE OF THE HOUSE RESOLUTION. HOWEVER, SUBCOMMITTEE MEMBERS MADE CLEAR THEIR BELIEF THAT DOE HAS NOT DELIVERED ON HIS PROMISE OF A RETURN TO CIVILIAN RULE. THEY APPEAR BENT ON DOING SOMETHING BUT, AT THIS POINT, NO ONE IS CERTAIN WHAT. END SUMMARY

2. ASSISTANT SECRETARY CROCKER APPEARED AS SCHEDULED BEFORE A JOINT MEETING OF THE AFRICA AND HUMAN RIGHTS SUBCOMMITTEES OF THE HFAC JAN. 23. AFRICA SUBCOMMITTEE CHAIRMAN HOWARD WOLPE, HUMAN RIGHT CHAIRMAN GUS YATRON, CONGRESSMEN HOWARD BERMAN (D/CALIF), TED WEISS (D/NY), GEORGE CROCKETT (D/MICH) AND MARK SILJANDER (R/MICH)

PARTICIPATED. ALONG WITH MR. CROCKER, GUS LIEBENOW, PROFESSOR OF POLITICAL SCIENCE FROM INDIANA UNIVERSITY AND REVEREND TOM HAYDEN OF THE SOCIETY OF AFRICAN MISSIONS TESTIFIED. HA DAS JIM MONTGOMERY AND ASSISTANT AID ADMINISTRATOR LOIS RICHARDS SAT WITH CROCKER AT THE WITNESS TABLE BUT DID NOT SPEAK.

3. IN HIS OPENING STATEMENT, WOLPE INDICATED THAT THE PURPOSE OF THE HEARING WAS TO DETERMINE FIVE THINGS; FIRST, DID THE ELECTION PROCESS IN LIBERIA MEET THE TEST OF "FREE AND FAIR" AS OUTLINED IN U.S. LAW; SECOND, WHAT WAS AND IS THE HUMAN RIGHTS SITUATION IN THE COUNTRY; THIRD, IN LIGHT OF THE QUESTIONABLE VOTE COUNT AND NOV. COUP ATTEMPT, IS THE GOVERNMENT OF PRESIDENT DOE CONSIDERED LEGITIMATE BY THE LIBERIAN PEOPLE; FOURTH, IS THE DOE GOVERNMENT STABLE AND IN CONTROL AND FINALLY, DOES THE SITUATION CALL FOR ACTION FROM THE HOUSE OF REPRESENTATIVES IN THE FORM OF A RESOLUTION SIMILAR TO THE ONE PASSED BY THE SENATE IN LATE DECEMBER. WOLPE STATED HIS INTENTION OF MARKING UP A RESOLUTION SIMILAR TO THE SENATE VERSION AT THE END OF THE HEARING. HIS CONCERNS WERE ECHOED BY YATRON WHO EMPHASIZED THAT OUR

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SPECIAL RELATIONSHIP WITH LIBERIA REQUIRED US TO TAKE A STRONG STAND IN SUPPORT OF HUMAN RIGHTS THERE AND HOLD LIBERIA TO HIGHER STANDARDS THAN WE DO OTHER STATES.

4. THE PRIVATE WITNESSES APPEARED FIRST AND OFFERED FAIRLY STRONG CONDEMNATIONS OF DOE'S HUMAN RIGHTS RECORD AND OF ELECTION IRREGULARITIES. BOTH CITED THE FAILURE OF "CONSTRUCTIVE ENGAGEMENT" WHEN APPLIED TO LIBERIA. THEY PORTRAYED THEMSELVES AS ACTIVE SUPPORTERS OF DOE IN THE EARLY YEARS FOLLOWING THE COUP AND EXPRESSED DISMAY AT HIS LATTER DAY ABANDONMENT OF HIS EARLIER COMMITMENT TO A RETURN TO FULL CIVILIAN RULE. LIEBENOW CHARACTERIZED DOE AS SOMEONE WHO, HAVING GOTTEN USED TO POWER, COULD NOT GIVE IT UP, TRACING HIS TITLE CHANGES FROM MASTER SARGEANT TO COMMANDERINCHIEF TO DR. TO PRESIDENT. LIEBENOW SEES THE ABANDONMENT OF PLURALISM AND INCREASING REPRESSION AS RESULTING IN A GOVERNMENT WITHOUT GENERAL PUBLIC SUPPORT WHICH IS SEEN AS ILLEGITIMATE.

5. INTERESTINGLY ENOUGH, BOTH ACKNOWLEDGED OUR SPECIAL RELATIONSHIP AND EXPRESSED THE BELIEF THAT ECONOMIC AID SHOULD CONTINUE, ALBEIT CHANNELLED THROUGH PVOS. HOWEVER, BOTH WITNESSES PROFESSED TO SEE NO NEED FOR A MILITARY AID PROGRAM. RATHER, THEY SAW MILITARY ASSISTANCE AS SUPPORT FOR AN ARMED FORCE USED AGAINST THE POPULACE, NOT AGAINST ANY EXTERNAL THREAT. ANOTHER THEME ECONOMIC ASSISTANCE IN RECENT YEARS, THE ECONOMY WAS IN COLLAPSE. IN SHORT, THE U.S. GOAL OF SEEING WORTHWHILE MOVES TOWARDS ECONOMIC AND POLITICAL STABILITY IN LIBERIA OVER THE LAST FIVE YEARS HAS NOT BEEN REALIZED AND, IN FACT, THEY CANNOT SEE ANY SIGNIFICANT IMPROVEMENT.

6. WOLPE'S QUESTIONS TO THE PRIVATE WITNESSES CENTERED ON THEIR OPINION OF THE ADMINISTRATION'S POSITION THAT THINGS ARE NOT AS BAD AS SOME HAVE PAINTED THEM AND THAT, FOR ALL HIS FAULTS, DOE IS ALL THERE IS AND MUST THEREFORE BE SUPPORTED. THEY REITERATED THEIR BELIEF THAT HE WAS A GOOD MAN GONE WRONG AND THAT WE CANNOT GO ON SUPPORTING HIM MINDLESSLY. FOLLOWING WOLPE, CONGRESSMAN YATRON EXPRESSED CONCERN ABOUT DOE'S COMMITMENT TO RECONCILIATION AND ALSO ABOUT HOW MANY WERE KILLED DURING THE COUP ATTEMPT. NUMBERS FROM 1,000 TO 3,000 WERE BANDIED ABOUT BUT MR. CROCKER HAD AN OPPORTUNITY DURING HIS TESTIMONY TO PUT THE FIGURE OF 500 INTO THE RECORD.

7. CONGRESSMAN SILJANDER, RANKING MINORITY MEMBER OF THE AF SUBCOMMITTEE, PROFESSED HIMSELF DEEPLY CONCERNED ABOUT THE SITUATION, WITH HIS HOPES DASHED AT PROSPECTS FOR THE COUNTRY'S RETURN TO DEMOCRACY. HE DECLARED HIS BELIEF THAT JOHNSON SIRLEAF WAS IN JAIL BECAUSE SHE REPRESENTED A POLITICAL FORCE DOE FELT HE COULD NOT OTHERWISE CONTROL. HE CALLED FOR THE RELEASE OF JOHNSON SIRLEAF, JACKSON DOE AND OTHER POLITICAL DETAINEES. WHILE HE CALLED HIMSELF COMMITTED TO ASSISTANCE FOR THE LIBERIAN PEOPLE, HE SAID HE DID NOT BELIEVE THAT NECESSARILY COMMITTED US TO SUPPORT OF DOE. HE FINISHED HIS STATEMENT BY EXPRESSING HIS WILLINGNESS TO INTRODUCE BINDING LEGISLATION CUTTING AID IF THERE ARE NO CONCRETE SIGNS OF HUMAN RIGHTS IMPROVEMENTS.

8. IN GENERAL, THE ORDER OF THE HEARING WAS RATHER CHAOTIC WITH MR. CROCKER'S TESTIMONY FOLLOWING SILJANDER'S OPENING STATEMENT. AFTER MAKING HIS PREPARED REMARKS, CROCKER FIELDIED A VARIETY OF QUESTIONS AND HAD THE OPPORTUNITY TO REEMPHASIZE THE NEED FOR PRESERVING OUR FLEXIBILITY OF MEANS AVAILABLE TO MOVE THE DOE REGIME

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TOWARDS GREATER RESPECT FOR DEMOCRACY AND HUMAN RIGHTS PRACTICES.

9. CHAIRMAN WOLPE PREFACED HIS QUESTIONS BY RESTATING HIS CONCERN THAT THE ADMINISTRATION WAS UNDERESTIMATING THE LACK OF SUPPORT FOR THE DOE GOVERNMENT AMONG THE LIBERIAN PEOPLE. HE WONDERED WHY WE BELIEVED WE COULD NOW GET DOE TO DO WHAT WE WANTED HIM TO WHEN HE HAD NOT DONE SO BEFORE. CROCKER STATED OUR BELIEF THAT OUR APPROACH HAS HAD ACHIEVEMENTS AS WELL AS DISAPPOINTMENTS. HE NOTED THAT WE HAVE ABANDONED PRIVATE DIPLOMACY AS THE NEED ARISES, SUCH AS WHEN WE PLACED THE HOLD ON ESF FUNDS LAST SEPTEMBER TO PRESSURE FOR THE CERTIFICATION OF MORE OPPOSITION PARTIES AND FAIR TREATMENT FOR DETAINEES SUCH AS JOHNSON SIRLEAF. REPLYING TO CONGRESSMAN CROCKETT'S QUERY ABOUT WHETHER THERE IS ANY EVIDENCE THAT LIBERIAN SOCIETY HAS ADVANCED IN THE FIVE YEARS OF DOE'S RULE, CROCKER POINTED TO THE CONSTITUTION, THE PARTICIPATION OF OPPOSITION PARTIES, VOTER REGISTRATION AND TURNOUT, ETC.

10. A POSITIVE NOTE CAME WHEN CONGRESSMAN BERMAN, WHO RARELY AGREES WITH ADMINISTRATION POSITIONS, SPOKE OUT STRONGLY AGAINST PRECIPITOUS ACTION IN ADOPTING THE TEXT OF THE SENATE RESOLUTION. DURING HIS QUESTIONING, BERMAN OFFERED CROCKER THE OPPORTUNITY TO PUT THE ADMINISTRATION ON RECORD AS BELIEVING THAT A RESOLUTION, PROPERLY WORDED, WOULD INDEED BE HELPFUL TO US IN OUR DISCUSSIONS WITH DOE. IT WAS EXTREMELY IMPORTANT, HOWEVER, THAT THE TERMS OF THE RESOLUTION BE ACHIEVABLE. HE EXPRESSED THE VIEW THAT PUTTING REALISTIC CONDITIONS ON AID SUCH AS CHARGING OR RELEASING PRISONERS, ALLOWING FOR TRULY FREE PRESS, ETC. WOULD BE MORE PERSUASIVE AND EFFECTIVE THAN A TOTAL, IMMEDIATE BAN ON ANY TYPE OF AID.

11. THIS LED TO A DISCUSSION OF THE PROSPECT OF YET ANOTHER ELECTION AND WHETHER SUCH A REQUIREMENT WAS REALISTIC. BERMAN SUPPORTED OUR VIEW THAT IT WAS NOT AND BOTH PRIVATE WITNESSES LATER AGREED. BERMAN'S QUESTIONS ALSO LED TO MENTION OF OPPOSITION COURT CHALLENGES TO THE ELECTION RESULTS AND THE FACT THAT THOSE IN JAIL NOW ARE THERE BECAUSE OF SUSPICION OF COMPLICITY IN THE COUP ATTEMPT, NOT FOR ANY POLITICIAN/ELECTION ACTIVITIES. BERMAN'S FINAL SURPRISE WAS HIS STRONG STAND THAT LIBERIA'S CONDUCT WAS NO WHERE NEAR AS BAD AS MANY OTHER STATES IN AFRICA, THE MIDDLE EAST AND CENTRAL AMERICA WHICH RECEIVE MUCH MORE AID FROM US AND THAT WE WERE SIMPLY EXPECTING TOO MUCH.

12. AS THE FINAL QUESTIONER, CONGRESSMAN CROCKETT STRONGLY OPPOSED OUR LIBERIA POLICY, CALLING OUR COMMENTS ON THE SUBJECT THE SAME AS OUR APOLOGIES FOR SOUTH AFRICA. HE HAD SOME OF HIS FACTS WRONG AS WHEN HE CHALLENGED CROCKER'S EARLIER STATEMENT THAT 13 OF 18 OPPOSITION MEMBERS HAD TAKEN THEIR SEATS, COMPARING IT TO THE SIX SEATS WHICH REV. HAYDEN SAID HAD BEEN ACCEPTED. HE ACCUSED THE DEPARTMENT OF GLOSSING OVER THE REALITY OF

THE SITUATION EVEN WHEN WE DO PROVIDE THE LITERAL TRUTH, AND HE CALLED FOR NOTHING SHORT OF A COMPLETE BAN ON AID.

12. SEPTEL REPORTS WHAT OCCURED WHEN CHAIRMAN WOLPE ATTEMPTED TO MARKUP THE RESOLUTION. WE EXPECT THE NEXT CHAPTER ON TUESDAY THE 28TH.

13. FOLLOWING THESE EVENTS, BERMAN AND CROCKETT PUT ADDITIONAL QUESTIONS TO LIEBENOW AND HAYDEN. OF PARTICULAR INTEREST WAS THE LATTERS' ACCEPTANCE THAT WE MUST CONTINUE TO PROVIDE AID AND THAT A CALL FOR NEW

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ELECTIONS WAS UNREALISTIC. THEY BOTH EXPRESSED THE BELIEF, HOWEVER, THAT SOMETHING MUST BE DONE TO SIGNAL THE DOE GOVERNMENT THAT MORE IS EXPECTED.

14. WOLPE'S FINAL NOTE WAS THAT HE BELIEVED TRUE CONDITIONALITY HAD NOT BEEN APPLIED TO DATE. HE CHARACTERIZED THE RESOLUTION AS NOT BINDING AND SAID ITS PURPOSE WAS TO PUT THE ADMINISTRATION AND DOE'S GOVERNMENT ON NOTICE THAT CHANGES MUST COME. HE ALSO MENTIONED CONCERN FOR GOVERNMENT MISUSE OF ECONOMIC AID IN THE CONTEXT OF JUSTIFYING THE RESOLUTION'S CALL FOR AID TO BE CHanneled THROUGH PVOS WHERE POSSIBLE. HE CLOSED WITH THE THREAT THAT A TOTAL BAN ON MILITARY AND, POSSIBLY, OTHER CATEGORIES OF AID WILL COME IF THE ADMINISTRATION AND LIBERIA CONTINUE TO IGNORE CONGRESSIONAL CONCERNS.

15. IN SPITE OF DIFFERENCES OF OPINION, THE ATMOSPHERICS OF THE HEARING WERE AS CALM AND EVEN-HANDED AS WE HAVE SEEN IN A LONG TIME. IT WAS QUITE CLEAR THAT CROCKER AND BERMAN WERE ON THE SAME WAVELENGTH AND EVEN WOLPE SEEMED PLEASED WITH MUCH OF WHAT CROCKER HAD TO SAY. THE COMMUNICATIONS BREAKDOWN BETWEEN WOLPE AND HIS OTHER DEMOCRATIC COMMITTEE MEMBERS OVER THE RESOLUTION MARK-UP WAS CLEARLY A VERY UNPLEASANT SURPRISE TO THE CHAIRMAN AND A BOON TO US. WE NOW HAVE SEVERAL DAYS AS WELL AS SOME NEW POSSIBLE ALLIES TO GET LESS RESTRICTIVE LANGUAGE INTO THE RESOLUTION. WE SHOULD RECOGNIZE, HOWEVER, THAT WOLPE COULD GET HIS MAJORITY TROOPS TOGETHER AND AN UNCHANGED, TOUGH RESOLUTION COULD EMERGE FROM THE FULL COMMITTEE. SHULTZ

END OF MESSAGE

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